

**DEPARTMENT OF ADMINISTRATION
STATE PROPERTIES COMMITTEE MEETING MINUTES
OF TUESDAY, SEPTEMBER 13, 2011**

The meeting of the State Properties Committee was called to order at 10:03 a.m. by Chairman Ronald N. Renaud. Attendance of the members was taken by roll call and the following members made their presence known: Robert Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Lawrence S. Eichler, Public Member; and Andrew Marcaccio representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Anthony Robinson from the State of Rhode Island General Assembly; Kelly Carpenter from the Rhode Island Fiscal Senate Office; Michael D. Mitchell, John Ryan and Deborah White from the Rhode Island Department of Administration; Colleen Kerr, Gil Bricault, Paul Carcieri Susan Howe and Colleen Kerr from the Rhode Island Department of Transportation; Terri Bisson from the Rhode Island Department of Environmental Management; Benjamin Copple from the Rhode Island Department of Department and Labor; Tina Benros from the Rhode Island Division of Motor Vehicles; Anthony J. Bucci, Jr., Thomas Brueckner and Kathryn Kelly from The Narragansett Bay Commission; Louis Joseph and Linda Nardoza from the Rhode Island Department of Behavioral Health, Developmental Disabilities and Hospitals; Steve Fontaine from A Planet and Amy Stein AIDS Projects Rhode Island,

Chairman Renuad stated for the record that the State Properties Committee did have a quorum present.

A motion was made to approve the minutes from the State Properties Committee meeting held on July 5, 2011, by Mr. Woolley and seconded by Mr. Eichler.

Passed Unanimously

ITEM A – Department of Behavioral Healthcare, Developmental Disabilities and Hospitals – A request was made for approval of and signatures on a Lease Agreement, by and between Bakeford Properties, LLC and the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (the “BHDDH”) for space located at 650 Ten Rod Road in the Town of North Kingstown. Mr. Ryan explained that BHDDH has occupied the subject premises for the last three to four years on a month-to month basis. Mr. Ryan indicated that BHDDH had staff at an Exeter location and wished to consolidate space and chose to issue a Request for Proposals (“RFP”) to test the market and determine what, if any, suitable available space was available. BHDDH did in fact issue an RFP from which they received two (2) proposals. As it turned out, the existing landlord offered the most attractive proposal. Therefore, BHDDH is before the Committee with a five (5) year Lease Agreement, which includes an option to extend the term of the Lease Agreement for an additional five (5) years. Mr. Ryan stated that the subject premises comprises 3,972 square feet of space. The annual rental cost is \$53,741.00, which includes vehicle parking and snow and ice removal.

Mr. Ryan indicated that the RFP was structured so that interior janitorial duties would be the responsibility of the Tenant; however, the landlord is responsible for any and all trash removal. Mr. Woolley asked whether BHDDH is satisfied with the terms and conditions of the Lease Agreement as well as the facility itself. Mr. Joseph indicated that the facility is more than adequate to meet the needs of BHDDH. Mr. Joseph explained that the purpose of the Lease Agreement is to consolidate two (2) existing programs offered by BHDDH. Due to the lack of staff to operate these programs, BHDDH can no longer effectively offer day programs for individuals with developmental disabilities in separate locations. BHDDH's intention is to combine the staff from both locations and increase the participation of the individuals who reside in the facility as well as attracting individuals from other facilities as well. Mr. Eichler asked if BHDDH currently occupies the subject premises. Mr. Joseph stated that the premises has been rented on a month-to month basis. Mr. Eichler asked if his understanding that another program which is currently leasing space elsewhere, will be consolidated into the subject leased premises is correct. Mr. Joseph explained that the additional program is currently housed in property owned by the State of Oahu. Mr. Eichler clarified that the additional program is vacating State-owned property to move its operation to the subject leased property. Mr. Ryan explained that is correct, but noted that the State's intention is to declare the State- owned property in excess of the State's needs and sell the same. Mr. Eichler asked whether there is any other State-owned property that these programs could be

consolidated into rather than leasing privately owned space. Mr. Joseph explained that BHDDH contacted the University of Rhode Island to determine whether there was any available, suitable space to accommodate these programs and was informed that there is no suitable space available at this time. In fact, the University is renting space from the Independent Square Foundation for programs operated by the University itself. BHDDH actually approached the Independent Square Foundation regarding available space and was informed that there is not adequate room at said facility to accommodate these programs. Additionally, Mr. Joseph noted that the centralized location of the 650 Ten Rod Road facility is essential to the wellbeing of several of the more disabled individuals who participate in the day program. Mr. Joseph explained that those individuals are unable to travel for extended periods of time and/or distance, especially those who attend the Lafayette Day Program. Chairman Renaud asked where the facility that will be consolidated into the Ten Rod Road space is located. Mr. Joseph indicated that the second facility is located on High View Avenue in Hope Valley. Chairman Renaud clarified that the Hope Valley facility is owned by the State of Rhode Island. Mr. Joseph explained that the Hope Valley facility has fallen into disrepair and is in need of extensive renovations and repairs due to the lack of available funding necessary to properly maintain the building on an ongoing basis. Mr. Ryan explained that BHDDH, after reviewing all available options, is confident that the most prudent option available is to consolidate the operation of the two (2) aforementioned programs and then sell the

Hope Valley facility as the State is simply without the funding to repair said property. Mr. Ryan noted that the locations of these programs are regional; the State of Rhode Island does not typically own property in these regions. Mr. Ryan noted that most State-owned property is concentrated at the Pastore Center in Cranston, Zamborano Hospital in Burrillville and on Capitol Hill in Providence. Chairman Renaud commented that Mr. Eichler's comments are well warranted and the Committee's intent is to see to it that State-agencies utilize as many State-owned facilities as possible to accommodate their needs rather than incurring the costs to lease privately-owned space while allowing State facilities to fall into disrepair. Chairman Renaud noted that within the last five (5) years, the State has saved approximately \$25 million dollars by consolidating office space into existing State-owned facilities, which were previously being leased through private property owners. Mr. Ryan stated that in all fairness to BHDDH's officials, when they went out to RFP, which was prior to Chairman Renaud's appointment as Chairman of the Committee, the State Properties Committee was informed that BHDDH intended to relocate staff from a State-owned building to privately owned leased space. BHDDH has been open and forthcoming regarding its intent and the process involved from the onset. Chairman Renaud asked how many employees are being moved out of this State-owned facility. Mr. Ryan stated that only three (3) staff members will be relocated. Mr. Eichler asked if all the renovations listed on Exhibit 3 include all the exemptible renovations that are necessary for BHDDH to occupy the space. Mr. Eichler asked

if BHDDH will need to receive some sort of certificate when the renovations are completed before taking occupancy of the space. Mr. Ryan explained that if the work to be completed was a complete build-out of the new space then a certificate would be required; however, for purposes of renovations, the contractor performing the work will obtain the necessary permit(s) from the Town of North Kingstown. Mr. Griffith asked what the total number of individuals being consolidated into this facility is. Mr. Joseph stated that the staff needs minimal office space; therefore, the majority of the space is utilized to operate the day program and to provide services to the disabled individuals. Mr. Griffith asked how many disabled individuals will participate and utilize these services on a daily basis. Mr. Joseph stated that BHDDH anticipates approximately twenty-five (25) participants. Mr. Griffith asked if BHDDH has any long term capital plans to acquire new State-owned property upon which a new facility could be constructed. Mr. Joseph indicated that there are no plans for BHDDH to purchase property and believes that any construction of a new facility is out of the question due to financial constraints at this time. Mr. Joseph explained that BHDDH is not simply relocating State-employees; part of the consideration is the travel for the individuals participating in the program. The homes from which these individuals come are in some cases already overburdened with the responsibilities of being caregivers. Then they are often responsible for transporting the disabled individuals to several separate programs per day. Their schedules are complex making it difficult to maintain a convenient drop off and pickup site. Therefore,

identifying a centralized location is of utmost importance to BHDDH. Chairman Renaud commented that at this particular time, there are great opportunities for the State to invest in property at tremendous savings. Chairman Renaud noted that the State has consolidated a significant amount of space; however, it continues to expend a substantial amount of revenue on leased property. Chairman Renaud suggested that over the course of this Lease Agreement, it would be prudent for BHDDH to research and examine the market for alternative options such as constructing a regional center to serve not only this program, but programs operated by other agencies, which would be compatible and easily consolidated. Mr. Woolley noted that the Lease Agreement contains a cancellation clause, which allows for early termination of the Lease. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith. Passed Unanimously

ITEM B – Department of Revenue/Division of Motor Vehicles – A request was made for approval of and signatures on a Lease Agreement, by and between Kenneth J. Alves and the Department of Revenue/Division of Motor Vehicles (the “DMV”) for office/customer space located at 238 East Main Road in the Town of Middletown. Mr. Ryan explained that the DMV is before the Committee today seeking final approval of the Lease Agreement for the aforementioned premises, which will serve as the new permanent location for the Aquidneck Island Branch Office. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith. The motion passed with three (3) votes “Aye” and one (1) Abstention.

Three (3) Votes "Aye"

Chairman Renaud

Mr. Woolley

Mr. Griffith

One (1) Abstention

Mr. Eichler

ITEM C – Rhode Island Commission of Human Rights – A request was made for approval of and signatures on a Second Amendment to Lease Agreement, by and between Dorwest Associates, LLC and the Rhode Island Commission of Human Rights for office space located at 180 Westminster Street in the City of Providence. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM D – Department of Environmental Management – A request was made for authorization to issue a Request for Proposals (“RFP”) for the acquisition of a warehouse and equipment storage facility to replace the facility destroyed by flooding in March of 2010. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM E – Department of Labor and Training – A request was made for approval of and signatures on an annual License Agreement, by and between the Department of Labor and Training and the Rotary Club of Woonsocket for use of property located at 217-219 Pond Street in the

City of Woonsocket for vehicle parking in support of the Autumnfest Celebration. A motion was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM F – Narragansett Bay Commission – A request was made for approval to acquire Permanent and Temporary Easements over property located at Aleppo Street in the City of Providence in connection with the Phase II of Combined Sewer Overflow Abatement Project; Woonasquatucket CSO Interceptor. A motion was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM G – Narragansett Bay Commission – A request was made for approval to acquire Permanent and Temporary Easements over property located at 60 King Street in the City of Providence in connection with the Phase II of Combined Sewer Overflow Abatement Project; Woonasquatucket CSO Interceptor. A motion was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM H – Film and Television Office – A request for approval of and signatures on a Film License Agreement, by and between the Rhode Island Film and Television Office and FTB3, LLC to allow FTB3, LLC to utilize State-owned property located within Fort Wetherill State Park in the Town of Jamestown on Monday, September 19, 2011, through and including, Friday, September 23, 2011, for filming an independent feature film entitled “FRANK THE BASTARD.” Item H is deferred to the September 27, 2011 State Properties Committee

meeting at the request of the Film and Television Office.

ITEM I – Department of Transportation – A request was made for approval of and signatures on a Temporary Construction and Perpetual Easement Agreement, by and between Department of Transportation and The Narragansett Bay Commission for easements over property located adjacent to Route 6, Woonasquatucket River and Bike Path R.O.W. in the City of Providence and Town of Johnston. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM J – Department of Transportation – A request was made for approval of and signatures on a Quitclaim Deed to allow the Department of Transportation to obtain a release of easement rights from property owner, Sandra Rossi, in connection with the replacement of the Natick Bridge No. 383 in the City of Warwick and Town of West Warwick; designated as State Highway Plat 2727, Parcels 1A and 2A. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM K – Department of Administration – A request was made for approval of and signatures on a License Agreement, by and between the Department of Administration and Aids Project Rhode Island to allow said organization to utilize the State House Grounds for the annual “Aids Project Rhode Island Walk for Life” to be held on October 2, 2011. A motion was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM L – Department of Administration – A request was made for approval of and signatures on a License Agreement, by and between the Department of Administration and Gloria Gemma Breast Cancer Research Foundation to allow the Foundation to utilize Station Park from October 5, 2011, through October 9, 2011, for the annual Flames of Hope Celebration. A motion was made by Mr. Griffith, subject to the submission of an updated Certificate of Insurance to both the Department and the State Properties Committee. Said motion was seconded by Mr. Woolley.

Passed Unanimously

The Committee may move to go into Executive Session, pursuant to Rhode Island General Law 42-46-5(a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purpose, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public relating to the following item:

On a motion made to enter executive session by Mr. Griffith and seconded by Mr. Woolley, a roll call vote was taken and the votes were as follows: Mr. Eichler voted "Aye," Mr. Griffith voted "Aye," Mr. Woolley voted "Aye" and Chairman Renaud voted "Aye."

Passed Unanimously

After a detailed discussion relating to executive session Item E1

concluded, on a motion made by Mr. Griffith and seconded by Mr. Woolley, the Committee voted unanimously to return to the open session of the State Properties Committee meeting and to seal the executive session minutes, until such time as said matter is resolved.

**Upon returning to open session at 11:07 a.m., the Committee proceeded to
vote relative to Item E1.**

ITEM E1 – Department of Transportation – A request was made for authorization to acquire temporary easements and permanent drainage easements along Austin Avenue to Danecroft Avenue in the Town of Smithfield by virtue of Condemnation Plat 2389 and for approval of and signatures on a Permanent Loop Detector Easement Agreement for the installation of a permanent loop detector at 595 Putnam Pike in the Town of Smithfield. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

There being no further business to come before the State Properties Committee, on a motion made by Mr. Griffith and seconded Mr. Woolley, the Committee voted unanimously to adjourn the September 13, 2011, State Properties Committee Meeting at 11:08 a.m.

Holly H. Rhodes, Executive Secretary